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Elimination of domestic violence against women

The General Assembly,

Reaffirming the obligation of all States to promote and protect all human rights and fundamental freedoms, as stated in the Universal Declaration of Human Rights[1] as well as in other relevant international instruments, and reaffirming also that discrimination on the basis of sex is contrary to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women[2] and other international human rights instruments, and that its elimination is an integral part of efforts towards the elimination of violence against women,

Recalling the Vienna Declaration and Programme of Action,[3] the Declaration on the Elimination of Violence against Women,[4] the Beijing Declaration and Platform for Action adopted by the Fourth World Conference on Women,[5] and the Programme of Action of the International Conference on Population and Development,[6] as well as

[1] Resolution 217 A (III).
[2] Resolution 34/180, annex.
[3] A/CONF.157/24 (Part I), chap. III.
[4] See resolution 48/104.
[5] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[6] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

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the follow-up action by the Commission on the Status of Women on violence against women and the outcome documents of the special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[7]

Recalling also all its previous resolutions on the elimination of violence against women,

Taking note of Commission on Human Rights resolution 2003/45 of 23 April 2003 on the elimination of violence against women,[8] as well as all its previous resolutions on this issue,

Bearing in mind that domestic violence against women is a human rights issue,

Recognizing that domestic violence against women is, inter alia, a societal problem and a manifestation of unequal power relations between women and men,

Recognizing also that both men and women have and should take responsibility for promoting gender equality,

Recognizing further the serious immediate and long-term implications for health, including sexual and reproductive health, as well as psychological, social and economic development, that domestic violence against women can represent for individuals, families, communities and States,

Underlining the importance of the empowerment of women and their effective participation in decision-making and policy-making processes as critical tools to prevent and eliminate domestic violence against women,

1. *Recognizes*:

(a) That domestic violence is violence that occurs within the private sphere, generally between individuals who are related through blood or intimacy;

(b) That domestic violence is one of the most common, least visible forms of violence against women and that its consequences affect many areas of the lives of victims;

(c) That domestic violence can take many different forms, including physical, psychological and sexual violence;

(d) That domestic violence is of public concern and requires States to take serious action to protect victims and prevent domestic violence;

(e) That domestic violence can include economic deprivation and isolation and that such conduct may cause imminent harm to the safety, health or well-being of women;

2. *Welcomes*:

(a) The activities and initiatives of States aimed at the elimination of domestic violence against women, including legal, educational, economic, social and other measures;

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[7] Resolutions S-23/2, annex, and S-23/3, annex.

[8] See E/2003/23 (Part I), chap. II, sect. A.

(b) The work of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, and takes note of the report entitled "Developments in the area of violence against women (1994-2002)";[9]

(c) The efforts undertaken by United Nations bodies, funds and programmes to address the issue of domestic violence and encourages them to coordinate their efforts, and, in particular, expresses its appreciation for the initiatives of the United Nations Development Fund for Women to combat violence against women at the international, regional and national levels, as well as the World Report on Violence and Health[10] launched by the World Health Organization in 2002, particularly its consideration of gender-based violence;

(d) The work carried out by civil society, including non-governmental organizations, such as women's organizations, and community-based organizations and individuals, aimed at the elimination of domestic violence against women, inter alia, by raising awareness of its harmful effects, and in the provision of support services to women victims of violence;

3. *Strongly condemns* all forms of violence against women and girls, and in this regard, calls for the elimination of all forms of gender-based violence in the family, within the general community and where perpetrated or condoned by the State;

4. *Expresses its concern*:

(a) That women continue to be victims of domestic violence and at the continuing occurrence in all regions of the world of such violence, which takes many different forms, and at failures to prosecute and punish the perpetrators;

(b) That domestic violence, including sexual violence in marriage, is still treated as a private matter in some countries;

5. *Stresses* that States have an obligation to exercise due diligence to prevent, investigate and punish the perpetrators of domestic violence against women and to provide protection to the victims, and also stresses that not to do so violates and impairs or nullifies the enjoyment of their human rights and fundamental freedoms;

6. *Reaffirms* the commitment of States to establish legislation and/or strengthen appropriate mechanisms to handle criminal matters relating to all forms of domestic violence, including marital rape and sexual abuse of women and girls, and to ensure that such cases are brought to justice swiftly;

7. *Calls upon* States:

(a) To adopt, strengthen and implement legislation that prohibits domestic violence, prescribes punitive measures and establishes adequate legal protection against domestic violence and to periodically review, evaluate and revise these laws and regulations so as to ensure their effectiveness in eliminating domestic violence;

(b) To make sexual violence within marriage a criminal offence and to ensure proper investigation and prosecution of perpetrators;

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[9] E/CN.4/2003/75 and Corr.1 and Add.1-4 and Add.2 Corr.1.

[10] Geneva, World Health Organization, 2002.

(c) To adopt and/or strengthen policies and legislation in order to strengthen preventive measures, protect the human rights of victims, ensure proper investigation and prosecution of perpetrators, and provide legal and social assistance to victims of domestic violence, as well as adopt policies with regard to the rehabilitation of perpetrators;

(d) To intensify measures aimed at preventing domestic violence against women;

(e) To ensure greater protection for women, inter alia, by means of, where appropriate, orders restraining violent partners from entering the family home, or by the banning of violent partners from contacting the victim;

(f) To provide or facilitate the provision of adequate training, inter alia, gender-awareness training, to all professionals who deal with domestic violence, in particular with victims of domestic violence, police officers, judicial and legal personnel, health personnel, educators, youth workers and social workers;

(g) To provide or facilitate the provision of assistance to victims of domestic violence in lodging police reports and receiving treatment and support, which may include the setting up of one-stop centres, as well as the establishment of safe shelters and centres for victims of domestic violence;

(h) To protect women from further victimization in the process of seeking redress because of gender insensitive laws or practices;

(i) To establish and/or strengthen police response protocols and procedures to ensure that all appropriate actions are taken to protect victims of domestic violence and to prevent further acts of domestic violence;

(j) To take measures to ensure the protection of women subjected to violence, access to just and effective remedies, inter alia, through compensation and indemnification and healing of victims, and the rehabilitation of perpetrators;

(k) To intensify efforts to raise collective and individual awareness about violence against women, including through human rights education, to highlight the role of men and boys in the prevention and elimination of domestic violence against women, and to encourage and support initiatives to promote attitudinal and behavioural change on the part of, and the rehabilitation of, perpetrators of violence against women;

(l) To encourage the efforts of the media to engage in awareness-raising campaigns;

(m) To take all measures to empower women and strengthen their economic independence, including through equal remuneration for equal work, and increased job opportunities for women, as well as equal access to and control over economic resources, including land, credit, microcredit and traditional saving schemes, such as women's banks and cooperatives, and by ensuring property rights and the right to inheritance with a view to reducing women's vulnerability to all forms of violence, including domestic violence and trafficking;

(n) Not to invoke any custom, tradition or religious consideration to avoid their obligations to eliminate violence against women;

(o) To consider, as a matter of priority, becoming parties to the Convention on the Elimination of All Forms of Discrimination against Women;

(p) That are parties to the Convention to include in their reports to the Committee on the Elimination of Discrimination against Women, information on legal and policy measures adopted and implemented in their efforts to prevent and eliminate domestic violence against women and to cross-reference this information, where appropriate, in reports to other human rights treaty bodies;

(q) To cooperate closely with relevant specialized agencies and United Nations funds and programmes, as well as with regional intergovernmental organizations, as appropriate, and relevant community and non-governmental organizations, including women's organizations, in an effort to eliminate violence against women;

(r) To collect, update and improve collection of data on violence against women, including through sex-disaggregated information systems, which should be made public and disseminated widely;

8. *Emphasizes* the need for technical and financial assistance to developing countries in their efforts to eliminate domestic violence against women from United Nations funds and programmes, international and regional financial institutions and bilateral and multilateral donors, and civil society, as well as the need for assistance from the international community to non-governmental organizations and community-based groups active in this field;

9. *Encourages* States to contribute or increase their contribution to the Trust Fund in Support of Actions to Eliminate Violence against Women managed by the United Nations Development Fund for Women;

10. *Invites*:

(a) Relevant specialized agencies, United Nations bodies, regional intergovernmental organizations and non-governmental organizations to exchange information on the subject of the present resolution, and encourages the exchange of such information between non-governmental organizations active in this field and the relevant human rights treaty bodies;

(b) The relevant human rights treaty bodies to continue to address this issue, where appropriate, and notes in this regard the relevance of general recommendation 19 of the Committee on the Elimination of Discrimination against Women;[11]

11. *Decides* to continue its consideration of this question at its sixtieth session under the item entitled "Advancement of women".

[11] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 38* (A/47/38), chap. I.